

entry actuations as they are being entered by the user, until the user enters a select input to establish communication with the selected network;

wherein some of said channel macros are operably associated with predetermined TV networks; and wherein at least one other channel macro is operably associated with an internet network site.

REMARKS:

Claims 8 and 20 have been amended. No claims have been added. Claims 5, 8 - 12 and 17-23 are pending in the application for consideration.

Rejections under 35 US 103

Claims 5 and 8-12 were rejected as unpatentable over Gateway 2000 Press Release 08/21/1996 (Gateway) in view of US Patent 5,191,423 (Yoshida). Claims 20-22 were rejected as unpatentable over Gateway and Yoshida in view of US Patent 5, 629,733 (Youman). (In the opening paragraph of Section 4 of the Office Action, Youman is characterized as "U.S. Pat# 6,629,733" and it is presumed this is a typographical error.)

The Examiner's rationale appears to concede that neither Yoshida nor Youman teaches:

"... effecting a second actuation of the same or another alphanumeric key on said keyboard; creating a monitor display of the or each stored network station name or internet site name containing first and second characters matching the characters associated with said first and second alphanumeric key; if necessary, effecting one or more further alphanumeric key actuations and creating a monitor display of the or each stored network station name or internet site name containing an initial sequence of characters matching the sequence of characters associated with the sequence of alphanumeric key actuations; effecting user input to the system to mark the or a user selected displayed name having said matching sequence of characters; ..." as set forth in amended claim 8;

nor:

"... each list containing network names including an initial sequence of a plurality of characters matching the sequence of characters associated with a sequence of alphanumeric key entry actuations as they are being entered by the user, until the user enters a select input to establish communication with the selected network; ..." as set forth in amended claim 20.

Neither Yoshida nor Youman, considered individually or hypothetically together, "reads on" either of these features in claim 8 and claim 20, respectively.

The Examiner bases his rejection by asserting that Yoshida and Youman could be combined but provides no factual basis to support how a combination might be effected nor what would be the result, taking into account the disclosures of Yoshida and Youman each considered as a whole – MPEP 2141, generally. The Examiner states "It would have been desirable to give the user the option to enter a second or third alphabetic character in order to present the user with a more narrow choice of selections, which helps the user in the channel selection process." But recognition of this desirability and teaching of implementation of the feature is found in the specification and claims of the present application, and not in the prior art. With respect, the rejection relies on arbitrary speculation lacking basis in the teachings of the prior art, as shown below.

The Examiner states: "... Yoshida teaches that the user selects a station by pressing the corresponding keys on the channel selection device 40," *[More correctly, by pressing keys 40 on a remote control transmitter 40.]* The Examiner continues: "Yoshida furthermore provides that the user merely needs to input the first letter of the desired station name, and subsequently the list of all stations with the corresponding first letter is displayed on the TV screen for the user to select from" Youman, in FIGS. 38D-F relied on by the Examiner, teaches two modes of operation, shown in FIG. 38E and FIG. 38F. *"In FIG. 38E, the user may manually scroll through the alphabetical list of of program titles using the up/down keys 43A on the remote control unit 40."* (Col. 31, lines 36-38.) *"In search mode, the user may input one, two, three, or four characters of a program title using the character boxes 330 shown in FIG. 38F. Characters are input using the up/down arrow keys 43A and the ENTER or 'OK' key 44. By depressing the up/down keys, the characters in the character boxes cycle through the letters of the alphabet and the digits 0-9. The arrows displayed around the perimeter of a character box designate the box currently activated and the keys which may be depressed. Once the desired character is selected, depressing the right arrow key moves the cursor to the second character box and so forth."*

Thus, the Examiner presents a hypothesis for combining the two references based on Yoshida's channel selection scheme and Youman's program title selection scheme. Apart from other deficiencies, that hypothesis fails to take into account the teaching of each reference considered in its entirety in relation to each claim under rejection as a whole – MPEP 2141.02. For channel selection, Youman teaches that "... a list of all channels available on the particular cable system is displayed on the left side of the television receive screen ..." – see col. 26, lines 13-22. As described with reference to FIG. 37, Youman teaches "*... any particular channel can be selected for viewing by positioning the selection cursor on the desired channel and de[pressing] either the enter key 44 or an optional tune key (not shown) on the remote controller.*" – col. 28, lines 9-13. Thus, the Examiner's position is based on using Youman to modify Yoshida based in a manner that Youman himself did not implement for channel selection in his own system. Consequently, the Examiner's hypothesis would have required a person of ordinary skill in the art to have proceeded in a manner ignoring and inconsistent with Youman's channel selection teaching which is an improper basis for an "obviousness" analysis and rejection.

No basis in the prior art is seen for combining the two references in a manner that would have lead to a method or a system having all of the features of claim 8 or claim 20. Yoshida's channel selection teaching and Youman's channel selection teaching are not seen to be amenable to interchange and would not have taught or suggested the channel selection features recited in claim 8 or claim 20. Hypothetical modification of Yoshida's channel selection teaching by Youman's program title selection teaching is not only far removed from any teaching, disclosure or incentive by either reference but contradicts Youman's own teaching, as discussed above. Even if considered, such speculative modification would fundamentally change the principle of operation of Yoshida – note MPEP 2143.01 – and therefore would have been an unobvious modification. The Examiner's position is based on an assertion that "[I]t would have been desirable to give the user the option to enter a second or third alphabetic character ...which helps the user in the channel selection process" but the necessary showing of recognition of such desirability by the prior art is absent from the Office

Action. Thus, it has been shown no prima facie case of obviousness based on Gateway, Yoshida and Youman is established in the Office Action.

Regarding the rejections of the remaining claims, Gateway is not seen to show or suggest the use of a wireless keyboard as set forth in claim 8 from which claim 5 is dependent. Regarding rejection of claim 11, the Examiner asserts "it was well known to place computer related content in an active computer window." This is not what is recited in claim 11 which is directed to "... providing a user a visual listing of networks by depicting on said monitor successive lists of network names, ..." as recited in parent claim 8. The grounds of rejection of claims 5 and 11 are therefore respectfully traversed. Claims 6, 9-12, 17-19, and 21-23 are allowable together with their parent claims.

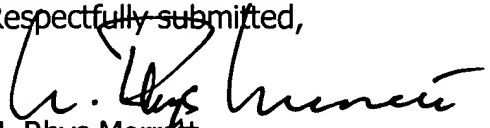
CONCLUSION.

It is believed all grounds of rejection contained in the Office Action have been addressed and overcome so that all claims pending in the application are patentable and in condition for allowance. Favorable consideration and early allowance of the application are respectfully solicited. If there are any remaining issues that could be resolved by discussion, a telephone call to the undersigned attorney at (972) 702-7940 would be appreciated.

Attached hereto is a marked up version of the changes made to the specification and claims by the current amendment. The attached page is captioned **Version with markings to show changes made.**"

Date: November 22, 2002
Sharp, Comfort & Merrett, P.C.
13335 Noel Road, Suite 1340
Dallas, TX 75240
Tel: (972) 702-7940
Fax: (972) 490-3863

Respectfully submitted,


N. Rhys Merrett
Attorney for Applicant
Reg. No. 27,250

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the claims:

The following claims have been amended as shown:

8. (Amended Seven Times) In a PC/TV computer system having keyboard for providing alphanumeric characters to said PC/TV computer and also having a display monitor, a method of selecting a network station comprising the steps of:

storing by predetermined network station and internet site names;

placing said PC/TV computer in one of a user selectable TV mode and a Computer mode;

effecting a first actuation of an~~pressing a first~~ alphanumeric key on said keyboard;

creating a monitor display of the or each stored network station name or internet site name containing a first character matching the character associated with said ~~first~~ alphanumeric key;

effecting a second actuation of the same or another alphanumeric key on said keyboard;

creating a monitor display of the or each stored network station name or internet site name containing first and second characters matching the characters associated with said first and second alphanumeric key;

if necessary, effecting one or more further alphanumeric key actuations and creating a monitor display of the or each stored network station name or internet site name containing an initial sequence of characters matching the sequence of characters associated with the sequence of alphanumeric key actuations;

effecting user input to the system to mark the or a user selected displayed name having said matching sequence of characters; and

then effecting user input to the system to establish communication between the PC/TV computer system and a network station corresponding to the displayed network station name or internet site marked by said user input.

20. (Amended) A computer system emulating a television system comprising:
- a merged PC/TV receiver and selectively operable in a user selectable TV mode or computer mode;
 - a monitor connected to said computer system and operable to provide a display in each of said TV and computer modes; and
 - an alphanumeric keyboard for providing alphanumeric information to said computer system, said computer system being capable of interpreting different predetermined alphanumeric key actuations on said alphanumeric keyboard as respective channel macros associated with network channels, the combination of said computer, said monitor and said alphanumeric keypad providing a user a visual listing of networks by depicting on said monitor successive lists of network names, each list containing network names including an initial sequence of a plurality of characters matching the sequence of characters associated with a sequence of alphanumeric key entry actuations as they are being entered by the user, until the user enters a select input to establish communication with the selected network;
- wherein some of said channel macros are operably associated with predetermined TV networks; and wherein at least one other channel macro is operably associated with an internet network site.

21. The computer system of claim 20, wherein said user input to tune to a network is effected by actuation of a key on said keyboard.

22. The computer system of claim 20, including a pointing device operable to effect said user input to tune to a network.

23 The computer system of claim 20, wherein in said TV mode said PC/TV receiver monitor has a full screen display and no user accessible PC functionality and in said computer mode said PC/TV receiver has user accessible PC functionality and a video window in said monitor display.